

Appendix D Processing Personnel Security and Suitability Investigations

D.1 INTRODUCTION

D.2 RECORDS AND REPORTING

D.3 PROCESSING INVESTIGATIONS

- A. Personnel Security and Suitability Investigations.
 - 1. Pre-Appointment Checks for Sensitive and High Risk Positions.
 - 2. Waiver Request Memorandum for Critical-Sensitive Positions.
 - 3. Special Agreement Checks (SAC).
 - 4. National Agency Checks and Inquiries (NACI).
 - 5. Access National Agency Checks and Inquiries (ANACI).
 - 6. National Agency Checks with Law and Credit (NACLC).
 - 7. Childcare National Agency Checks with written Inquiries (CNACI).
 - 8. Minimum Background Investigation (MBI).
 - 9. Background Investigation (BI).
 - 10. Single Scope Background Investigation (SSBI).
 - 11. Upgrade Investigation (UGI).
 - 12. Update Investigation (UDI).

B. Re-Investigations.

- 1. Noncritical-Sensitive Re-Investigations.
- 2. Periodic Re-Investigations (PRI).
- 3. Single Scope Background Investigation Periodic Re-Investigations (SSBI-PR).

D.1 INTRODUCTION

Department of Commerce security officers represent the Office of Security when providing support services



to operating units and departmental headquarters in the Herbert C. Hoover Building. To fulfill this responsibility, each servicing security officer has the authority to ensure the requests for personnel security investigations are appropriately processed based upon position sensitivity. In connection with these responsibilities, the following guidelines and procedures are provided to ensure a uniform personnel security investigative program among the operating units and the Department. For ease of reference, the guidelines have been separated into two basic categories: Records and Reporting and Processing Investigations.

D.2 RECORDS AND REPORTING

A. Records. The Office of Security maintains an electronic database for each employee, contractor, guest worker, research associate, or other individual associated with the Department who is granted access to national security information. The Office of Security will maintain security record information on a cleared individual for as long as that individual is actively employed or associated with the Department. Results of completed suitability determinations are filed in each employee's Official Personnel Folder (OPF). The servicing human resources office will provide copies of the OFI-79A to the Office of Security indicating the final suitability adjudication for national security positions only. The Personnel Security database will only contain the results of determinations for national security positions and will include the following information:

- 1. Name;
- 2. Bureau;
- 3. Position title (or other designation for non-employee);
- 4. Date and place of birth;
- 5. Social Security Number;
- 6. Position sensitivity/risk designation (Special Sensitive, Critical-Sensitive, Noncritical-Sensitive, High Risk, Moderate Risk, or Low Risk);
- 7. Date of security briefings/debriefings;
- 8. Access level (Top Secret, Secret), Special Access (DOE, NATO, SCI, etc.);
- 9. Security processing action;



- a. Date initiated (sent to OSY or to OPM)
- b. Type of processing or security action (Pre-Appointment Checks, Personnel Investigation, Security Assurance, Security Access, etc.) to include Department of Commerce system of records.
- c. Date of completion and results for positions requiring a security determination.
- 10. Entrance-on-duty date and separation date

B. Personnel Security and Investigative Files.

- 1. The Office of Security is the only repository for personnel security information in the Department. Accordingly, Privacy Act and Freedom of Information Act requests for personnel security information will be referred to the Office of Security for direct response to the requestor. However, reports of investigations conducted by the Office of Personnel Management (OPM) or other investigative agencies remain under the control of that agency; therefore, an individual will be required to submit their Privacy Act request to OPM or the appropriate agency to obtain a copy of the investigative file.
- 2. Success of the Department's Personnel Security Program depends upon well-defined and open channels of communication for timely and efficient flow of information. The key link in this communication chain is the servicing security officer. The servicing security officer is charged with ensuring that effective channels of communication are developed and maintained within his/her jurisdiction. Each servicing security officer shall establish communications with a point of contact for each operating unit within his/her jurisdiction. The operating unit point-of-contact is appointed by the senior official of that site or program as the security contact. The security contact is responsible for immediately reporting of all security incidences to the servicing security officer. The servicing security officer is responsible for keeping the Office of Security headquarters informed of incidents or situations which may affect the Personnel, Physical or Information Security programs in general, or the safety and security of the Department's personnel, property, or programs. The servicing security officer also is responsible for keeping the appropriate operating unit or site official informed of all appropriate reports and correspondence.
- **C. Reports.** It is not practical to list all conceivable reporting situations; however, the following items are necessary to ensure that personnel security records are current and properly maintained.
 - 1. **Pending Security Processing.** The servicing security officer or security contact will respond to



requests for information concerning cases as requested by the Office of Security headquarters.

- 2. **Personnel Actions.** The security contact shall report all appropriate personnel actions to the servicing security officer for inclusion in the Personnel Security database. The servicing security officer is responsible for obtaining pertinent SF-50B (Notification of Personnel Action) issued within his/her jurisdiction, and for forwarding to the Office of Security those forms which indicate actions affecting, or possibly affecting, an individual's eligibility for security access. The following are examples of the types of personnel actions, which may have a bearing on the Personnel Security Program. The list is not all-inclusive.
 - a. Terminations for cause;
 - b. Name changes;
 - c. Changes in position sensitivity;
 - d. Separations/transfers, outside of the Department of Commerce;
 - e. Personnel transfers and reassignments;
 - f. Suspensions and other disciplinary actions;
 - g. Appointments;
 - h. Details: and
 - i. Leave without pay in excess of 30 days.

D.3 PROCESSING INVESTIGATIONS

A. Personnel Security and Suitability Investigations. Each servicing security officer has the responsibility to confirm that all security processing requirements within his/her jurisdiction are met. The initial responsibility for preparing security and suitability request packages for employees or applicants is usually that of the servicing human resources officer. The servicing security officer shall provide assistance to the servicing human resources officer with regard to the processing of paperwork for security and suitability positions. The Contracting Officer or Contracting Officer's Technical Representative (COTR) has the initial



responsibility for contract workers and their request packages. Managers or other officials who represent the Department of Commerce in interactions with non-employees have the initial responsibility for preparing their request packages. The servicing security officer is responsible for tracking all investigations for national security information positions within their respective jurisdictions. Some security and suitability request packages may require more than one completed original form or copies of a completed original form. An "original" is a completed form that bears the subject's original signature.

- 1. Pre-Appointment Check (Sensitive, High Risk, and Certain IT-related Moderate Risk Positions).
 - a. **Requirement.** A pre-appointment check is optional for Low Risk positions and most Moderate Risk positions; however it is required for Moderate Risk positions in the Information Technology occupations, positions that afford "global access" to information systems, and all Sensitive and High Risk positions. These checks will include favorable National Criminal Information Center (NCIC) checks for criminal history.
 - b. **Procedure.** The servicing human resources office provides the investigative forms to the applicant in advance of the entrance-on-duty date. The employee completes all forms, obtains a completed fingerprint card and fingerprints from the servicing security office (or local police station), and returns the completed forms and fingerprint card to the servicing human resources office. The servicing human resources office sends the completed package to the servicing security office for processing.
 - c. **Request Package.** The pre-appointment request must include the following:
 - 1) Pre-Appointment Check Request Memorandum;
 - 2) Completed questionnaire:
 - a) For sensitive positions: Form SF-86, Questionnaire for National Security Positions, or
 - b) For High Risk positions: Form SF-85P, Questionnaire for Public Trust Positions;
 - c) For Moderate Risk positions: Form SF-85, Questionnaire for Non-Sensitive Positions;
 - 3) Form SF-87, Fingerprint chart, with OPM's designation in the ORI Block;



- 4) Form CD-79, Request for Security Clearance, with sufficient justification for access to the security level requested (for Sensitive positions only);
- 5) Form OF-612, Optional Application for Federal Employment, or resume/equivalent;
- 6) Form OF-306, Declaration for Federal Employment; and
- 7) Credit Release Authorization.
- 8) Waiver Request Memorandum. (see paragraph 2 below).
- d. **Security Office Action.** The servicing security officer shall review the pre-appointment check request package for completeness and forward a copy of the request package to Office of Security headquarters for action. The Office of Security headquarters will perform the pre-appointment checks and notify the servicing human resources office of the results. The servicing human resources office will then notify the Office of Security once the appointment date has been established.
- 2. Waiver Request Memorandum (*Critical-Sensitive Positions Only*). When a Critical-Sensitive position appointment must be filled prior to the completion of an investigation due to an emergency situation, the individual's immediate supervisor must submit a waiver request memorandum with the request for a pre-appointment check. The waiver request memorandum shall be addressed to the Director for Security requesting a waiver of the requirement for completion of a Single Scope Background Investigation (SSBI) or Background Investigation (BI) before appointment. The waiver request must contain sufficient justification concerning the nature of emergency and the benefit to the national interest. Waiver requests will not be granted to Special-Sensitive position appointments under any circumstance.
 - a. **Requirement.** The Director for Security or his/her designee may grant a waiver of the requirement for prior completion of a BI or SSBI for appointment to a Critical-Sensitive position. The appointment must be justified as an emergency and in the national interest.
 - b. **Procedure.** The individual's supervisor or unit manager will be responsible for initiating the request for a waiver and sending it to the servicing security officer.
 - c. Request Package.
 - 1) The SSBI or BI investigative request package coded for 35-day service request;



- 2) Waiver request memorandum to the Office of Security from the individual's supervisor or office manager, identifying the subject, the subject's proposed position sensitivity level, and the nature of the emergency and the national interest;
- 3) Form SF-87, Fingerprint Chart, with OPM's designation in the ORI Block; and
- 4) Credit Release Authorization.
- d. Servicing Security Officer Action.
 - 1) Confirm that the waiver request memorandum clearly identifies the emergency need and the national interest; and
 - 2) Forward the waiver request package to the Office of Security headquarters for processing.
- 3. Special Agreement Check (SAC) (Low Risk Contracts and non-employees).
 - a. **Requirement.** Special Agreement Check (SAC) is the minimum investigative requirement for contract personnel and non-employees performing Low Risk functions.
 - 1) All U.S. citizens with access to Department of Commerce facilities for more than 180 calendar days but less than 365 calendar days are subject to a SAC or higher investigation, if required.
 - 2) All non-U.S. citizens with access to Department of Commerce facilities for more than 10 working days up to 365 days are subject to a SAC or higher investigation, if required.
 - b. **Procedures.** The responsible security contact or Contracting Officer Technical Representative (COTR) initiates the SAC investigation request package. The security contact or the COTR, not the subject, completes form OFI-86C, Items 1 through 12 and 14. The COTR ensures that confirm code "R" is clearly written in Block 7 and that the subject has signed and dated Block 13, Authorization For Release of Information. The completed SAC request package is then sent to the servicing security officer for processing no later than three working days after the subject's start of work.
 - c. Request Package.



- 1) Form OFI-86C, Special Agreement Checks;
- 2) FD-258, Fingerprint Chart with OPM's designation in the ORI Block.

d. Servicing Security Officer Action.

- 1) Review investigative request package for completeness;
- 2) Ensure that the subject of each package is identified as contract personnel, the name of the contracting company or organization of origin is clearly indicated, and that each package is clearly marked to indicate the contract sensitivity designation; and
- 3) Forward completed package to OPM.

4. National Agency Checks and Inquiries (NACI) (Low Risk Positions).

- a. **Requirement.** The National Agency Checks and Inquiries (NACI) is the minimum investigation requirement for appointment to a Low Risk position.
- b. **Procedure.** The servicing human resources office provides the NACI investigative package to the employee in advance of or on the entrance-on-duty date. The employee completes all forms, obtains a completed fingerprint card from the servicing security office, and returns the completed investigative package and fingerprint card to the servicing human resources office within three working days after the effective date of the appointment. The servicing human resources office sends the completed package to OPM within 14 calendar days of the appointment effective date.

- 1) Form SF-85, Questionnaire for Non-Sensitive Positions;
- 2) Form OF-612, Optional Application for Federal Employment or resume/equivalent;
- 3) Form OF-306, Declaration for Federal Employment;
- 4) Form SF-87 Fingerprint Chart, with OPM's designation in the ORI Block; and



- 5) Credit Release Authorization.
- d. **Servicing Security Officer Action.** None. The NACI investigative request package will be reviewed by the servicing human resources offices for completeness and forwarded to the Office of Personnel Management for processing.
- 5. Access National Agency Checks and Inquiries (ANACI) (Noncritical-Sensitive Positions).
 - a. **Requirement.** Access National Agency Checks and Inquiries (ANACI) is the minimum investigative requirement for Noncritical-Sensitive positions requiring access to classified information up to the Secret level under E.O. 12968.
 - b. **Procedure.** The servicing human resources office provides the ANACI investigative forms to the employee in advance of the entrance-on-duty date. The applicant or employee completes all forms, obtains a completed fingerprint card and set of fingerprints from the servicing security office (or local police office), and returns the completed investigative request package to the servicing security officer for processing.

- 1) Pre-Appointment Check Request Memorandum;
- 2) Form SF-86, Questionnaire for National Security Positions;
- 3) Form OF-612, Optional Application for Federal Employment, or resume/equivalent;
- 4) Form OF-306, Declaration for Federal Employment;
- 5) Form SF-87, Fingerprint Chart, with OPM's designation in the ORI Block;
- 6) Form CD-79, Request for Security Clearance, with sufficient justification for access to the security level requested; and
- 7) Credit Release Authorization.
- d. Servicing Security Officer Action. Review the ANACI investigative request package for



completeness and enter relevant data into Office of Security's electronic database. Forwards a copy of request package to Office of Security headquarters for information. Upon favorably completed pre-appointment checks and subject's EOD date, send the ANACI request package to the Office of Personnel Management (OPM) for processing.

- 6. National Agency Checks with Law and Credit (NACLC) (Noncritical-Sensitive contracts and non-employees).
 - a. **Requirement.** National Agency Checks with Law and Credit (NACLC) is the minimum investigation requirement for contractor personnel, consultants, experts, associates, or committee members whose work requires access to classified information up to the Secret level.
 - b. **Procedure.** The responsible security contact, COTR (Contracting Officer Technical Representative, or departmental committee liaison provides the NACLC investigative forms to the individual prior to the start date or required date of association. The individual completes all forms, obtains a completed fingerprint card and set of fingerprints from the servicing security office (or local police office), and returns the completed investigative package to the security contact, COTR, or departmental committee liaison, who forwards the request package to the servicing security office for processing.
 - c. Request Package.
 - 1) Form SF-86, Questionnaire for National Security Positions;
 - 2) Form FD-258, Fingerprint Chart, with OPM's designation in the ORI Block;
 - 3) Form CD-79, Request for Security Clearance, with sufficient justification for access to classified information up to the Secret level; and
 - 4) Credit Release Authorization.
 - d. **Servicing Security Officer Action.** Review the NACLC investigative request package for completeness and enter relevant data into Office of Security's electronic database. Forward the request package to the Office of Personnel Management (OPM) for processing and send a copy to Office of Security headquarters for information.
- 7. Childcare National Agency Checks with Written Inquiries (CNACI) (Child Care Worker).



a. **Requirement**. Childcare National Agency Checks with written Inquiries (CNACI) meets the investigative requirements set forth by Public Law 101-647 and 42 USC § 13041, for individuals holding positions within childcare facilities. Employees of childcare facilities sponsored by the Department of Commerce is subject to a CNACI investigation conducted by OPM and will be reinvestigated every five years.

b. Procedure.

- 1) The security contact or the COTR of the childcare contractor provides the CNACI investigative forms to the individual in advance of or on the entrance-on-duty date. The individual completes all forms, obtains a completed fingerprint card and set of fingerprints from the servicing security office (or local police office), and returns the completed investigative package to the security contact or COTR, who forwards the request package to the servicing security office for processing.
- 2) The servicing security officer reviews and submits the completed request package to OPM within three days of the individual's start of work.

- 1) Form SF-85, Questionnaire for Non-Sensitive Positions;
- 2) Resume of professional qualifications, and employment history;
- 3) Form FD-258, Fingerprint Chart, with OPM's designation in the ORI Block; and
- 4) Credit Release Authorization.
- d. **Servicing Security Officer Action.** Review the CNACI investigative request package for completeness and submit it to the Office of Personnel Management for processing.
- 8. Minimum Background Investigation (MBI) (Moderate Risk Positions).
 - a. Requirement. The Minimum Background Investigation (MBI) is the minimum investigation



requirement for appointment of employees to a Moderate Risk position.

b. **Procedure.** The servicing human resources office provides the MBI investigative package to individuals being appointed to Moderate Risk positions. The employee completes all forms, obtains a completed fingerprint card from the servicing security office, and returns the completed investigative request package to the servicing human resources office at the appropriate time for processing. Individuals being appointed to non-IT related occupations can receive the investigative forms either in advance of or on the entrance-on-duty date. Individuals in IT-related positions must receive the investigative forms prior to the entrance-on-duty date and be subject to a favorable preappointment check prior to appointment.

c. Request Package.

- 1) Form SF-85, Questionnaire for Non-Sensitive Positions;
- 2) Form OF-612, Optional Application for Federal Employment or resume/equivalent;
- 3) Form OF-306, Declaration for Federal Employment;
- 4) Form SF-87 Fingerprint Chart, with OPM's designation in the ORI Block; and
- 5) Credit Release Authorization.
- d. **Servicing Security Officer Action.** None. The MBI investigative request package will be reviewed by the servicing human resources offices for completeness and forwarded to the Office of Personnel Management for processing.
- 9. Background Investigation (BI) (Critical-Sensitive and High Risk Positions).

a. Requirement.

- 1) All employees and non-employees appointed to Critical-Sensitive positions that require access to information up to the Secret level are subject to the completion of a BI prior to appointment.
- 2) All appointments to High Risk positions are subject to the prior completion of a BI; however, subjects can enter-on-duty (EOD) after a pre-appointment check has been favorably



completed.

b. **Procedure.** The servicing human resources office provides the BI investigative forms to the employee in advance of the entrance-on-duty date. The employee completes all forms, obtains a completed fingerprint card and set of fingerprints from the servicing security office (or local police office), and returns the completed investigative package to the servicing security officer for processing.

- 1) Pre-Appointment Check Request Memorandum;
- 2) Waiver Request Memorandum, if required (refer to paragraph D.3 A.2);
- 3) Questionnaire:
 - a) For Critical-Sensitive Positions: Form SF-86, Questionnaire for National Security Positions; or
 - b) For High Risk Positions: Form SF-85P, Questionnaire for Public Trust Positions;
- 4) Form OF-612, Optional Application for Federal Employment, Resume/Equivalent;
- 5) Form OF-306, Declaration for Federal Employment;
- 6) Fingerprint card:
 - a) Form SF-87, Fingerprint Chart, with OPM's designation in the ORI Block; or
 - b) Form FD-258, Fingerprint Chart, with OPM's designation in the ORI Block;
- 7) Form CD-79, Request for Security Clearance, with sufficient justification for access to the security level requested; and
- 8) Credit Release Authorization.
- d. Servicing Security Officer Action.



- 1) *Critical Sensitive*. Review the BI investigative request packages for completeness and enter relevant data into Office of Security's electronic database. Forward the Waiver Request Memorandum (if required) and Form SF-86 and Form CD-79 to the Office of Security headquarters for processing. After favorably completing the pre-appointment check and determining the subject's EOD date, submit the BI request package to the Office of Personnel Management (OPM) for processing.
- 2) *High Risk*. Review the BI investigative request packages for completeness and upon favorably completed pre-appointment checks and subject's EOD date, submit the BI request package to the Office of Personnel Management (OPM) for processing.



10. Single Scope Background Investigation (SSBI) (Special-Sensitive and Critical-Sensitive Positions).

a. Requirement.

- 1) All appointments to Special-Sensitive positions for employees and contract personnel that require access to classified information at the Top Secret and Sensitive Compartmented Information (SCI) levels are subject to completion of an SSBI prior to appointment.
- 2) All appointments to Critical-Sensitive positions for employees and contract personnel that require access to classified information at the Top Secret level are subject to the prior completion of an SSBI.
- 3) A pre-appointment check request memorandum is required for both Special-Sensitive and Critical-Sensitive positions.
- b. **Procedure.** The servicing human resources office provides the SSBI investigative forms to the employee in advance of the entrance-on-duty date. The employee completes all forms, obtains a completed fingerprint card and set of fingerprints from the servicing security office (or local police office), and returns the completed investigative package to the servicing security officer for processing. When a favorable pre-appointment check has been completed, the servicing security officer submits the investigative package to OPM.

- 1) Pre-Appointment Checks Request Memorandum (see paragraph D.3 A.2. above);
- 2) Waiver Request Memorandum, (*Critical-Sensitive Only*) if required (refer to paragraph D.3 A.2);
- 3) Form SF-86, Questionnaire for National Security Positions;
- 4) Form OF-612, Optional Application for Federal Employment, Resume/Equivalent, or Personal qualifications statement;
- 5) Form OF-306, Declaration for Federal Employment;



- 6) Form SF-87, Fingerprint Chart, with OPM's designation in the ORI Block; and
- 7) OPM Form 1476, Activity outside of the United States (This form is required only if the subject has had either extensive employment in foreign countries in the most recent five-year period, or has had extensive residence in foreign countries during the most recent three-year period);
- 8) Form CD-79, Request for Security Clearance, with sufficient justification for access to the security level requested; and
- 9) Credit Release Authorization.
- d. **Servicing Security Officer Action.** Review the SSBI investigative request packages for completeness and enter relevant data into Office of Security's electronic database. Forward the Waiver Request Memorandum (if required) and copies of Form SF-86 and Form CD-79 to Office of Security headquarters for processing. After favorably completing the pre-appointment check and determining the subject's EOD date, send the SSBI request package to the Office of Personnel Management (OPM) for processing.
- 11. **Upgrade Investigation** (**UGI**). The UGI consists of a National Agency Check (NAC), subject interview, record searches, credit check, and personal interview with selected sources covering specific areas of the subject's background since the last investigation. The investigation is used to upgrade a previous investigation (SSBI, BI, or ANACI) to provide adequate investigative basis for an employee's movement to the higher sensitivity level.
- 12. **Update Investigation (UDI)** (*Positions/Contracts*). The UDI consists of the same coverage as a prior investigation (SSBI, BI, or ANACI) during the 13 to 60 months since the previous investigation. This investigation is required when there has been a break in service of more than 365 calendar days since the previous investigation.

B. Re-Investigations.

- 1. Noncritical-Sensitive Re-Investigations (*Positions/Contracts*).
 - a. **Requirement.** All individuals occupying positions designated Noncritical-Sensitive are subject to a re-investigation at least once every ten years. The **National Agency Checks with Law and Credit (NACLC)** investigation is used for Noncritical-Sensitive position re-investigations, expiring



LBI, MBI, and NACLC investigations.

b. **Procedure.** The security contact or COTR provides the RI investigative forms to the individual. The individual completes all forms, obtains a completed fingerprint card and set of fingerprints from the servicing security office (or local police office), and returns the completed investigative package to the servicing security officer for processing. When completed, the servicing security officer submits the RI investigative package to OPM for investigation with a copy provided to the Office of Security headquarters.

- 1) Form SF-86, Questionnaire for National Security Positions;
- 2) Fingerprint card:
 - a) Form SF-87, Fingerprint Chart, with OPM's designation in the ORI Block (employee), or
 - b) Form FD-258, Fingerprint Chart, with OPM's designation in the ORI Block (contractor); and
- 3) Credit Release Authorization.
- d. **Servicing Security Officer Action.** Review the re-investigative request package for completeness and forward it to the Office of Personnel Management.
- 2. Periodic Re-Investigations (PRI) (Critical-Sensitive with Secret Access and High Risk Positions).
 - a. **Requirement.** All individuals occupying positions designated Critical-Sensitive with access to Secret information or High Risk are subject to periodic re-investigation at least once every five years.
 - b. **Procedure.** The security contact provides the PRI investigative forms to the individual. The individual completes all forms, obtains a completed fingerprint card and set of fingerprints from the servicing security office (or local police office), and returns the completed investigative package to



the servicing security officer for processing. When completed, the servicing security officer submits the PRI investigative package to OPM for investigation with a copy provided to the Office of Security headquarters.

- 1) Form SF-86, Questionnaire for National Security Positions, updated by the subject with the top portion of the form completed by the security contact;
- 2) Fingerprint card:
 - a) Form SF-87, Fingerprint Chart, with OPM's designation in the ORI Block (employee), or
 - b) Form FD-258, Fingerprint Chart, with OPM's designation in the ORI Block (contractor); and
- 3) Credit Release Authorization.
- d. **Servicing Security Officer Action.** Review the re-investigation request package for completeness and submit it to the Office of Personnel Management for processing.
- 3. Single Scope Background Investigation Periodic Re-Investigations (SSBI-PR) (Special and Critical-Sensitive Positions with Top Secret Access).
 - a. **Requirement.** All individuals occupying positions designated Special-Sensitive or Critical-Sensitive are subject to a reinvestigation at least once every five years.
 - b. **Procedure.** The security contact provides the SSBI-PRI forms to the individual. The individual completes all forms, obtains a completed fingerprint card and set of fingerprints from the servicing security office (or local police office), and returns the completed investigative request package to the servicing security officer for processing. When completed, the servicing security officer submits the SSBI-PR investigative package to OPM for investigation with a copy provided to the Office of Security headquarters.
 - c. Request Package.



- 1) Form SF-86, Questionnaire for National Security Positions, (Part I must be fully completed);
- 2) Form SF-87, Fingerprint Chart, with OPM's designation in the ORI Block; and
- 3) Credit Release Authorization.

d. Servicing Security Officer Action.

- 1) Special-Sensitive Positions: Review the SSBI-PR request package for completeness and submit it to the Office of Personnel Management for processing.
- 2) Critical-Sensitive Positions: Review the SSBI-PR request package for completeness and submit it to the Office of Personnel Management for processing.

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